

LINCOLN PLANNING BOARD

FEBRUARY 22, 2012

APPROVED

The regular meeting of the Planning Board was held on Wednesday, February 22, 2012, at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.

Chairman Olean called the meeting to order at 7:00 p.m. The following members were present: Gerald Olean, John Hunt, Michael Reilly, Kenneth Bostic, Timothy Griffin, William Murphy and Jeffrey Delgrande. Also in attendance were Town Planner Al Ranaldi and Town Solicitor Anthony DeSisto. Russell Hervieux kept the minutes.

Chairman Olean advised that seven members were present; have quorum.

CONSENT AGENDA

Chairman Olean reminded members that the consent agenda has six zoning applications, (2) recorded decisions and staff reports. A consent agenda is normally voted on in total unless a member motions to remove an item.

Motion was made by member Griffin to accept the consent agenda as presented was seconded by member Reilly. Motion was approved by

all members present.

MAJOR LAND DEVELOPMENT REVIEW

**a. Albion Commons AP 41 Lot 9 Preliminary Plan
 Link Commercial Properties, LLC 618 George
Washington Discussion/Approval
 Highway**

Mr. Ranaldi stated that this application is under the 2005 subdivision regulations. The application represents the commercial development of a 2 acre commercial lot on George Washington Highway and Albion Road. The applicant proposes a 6,700 square foot retail building, a 3,500 square foot bank building and a 3,100 square foot restaurant building. The applicant received a certificate of completeness on February 15, 2012 and the Board has until June 14, 2012 to make a decision at preliminary plan. The lot is presently paved and was a former auto dealership. The applicant is reconfiguring some of the access points to the site. The access on George Washington Highway will be expanded. There are two existing accesses on Albion Road which will be condensed into one. The applicant is dealing with these with the State through a Physical Alteration Permit. The other concern was storm water runoff. The site has an existing underground storm water retention system. The proposed development will actually have less impervious areas than what exist today. The TRC had a couple of concerns that the

applicant should be aware of. The applicant had not supplied the Physical Alteration Permit from RIDOT but it did come in today. The storm water runoff was reviewed as part of the PAP and approved by RIDOT. However, since the site has not been used in quite awhile the TRC recommends that as a condition of preliminary plan approval the applicant must clean and test all drainage facilities before final pavement is applied. The TRC would also like the applicant to look at what signage they will be asking for and apply to Zoning for any required relief. The applicant must also go before the Area of Planning Concern which has not been scheduled as of yet. The traffic impact study submitted states that this development will not affect the traffic conditions on George Washington Highway. The TRC recommends that the application proceed to a Public Hearing in March while they work on the concerns of the TRC. Chairman Olean also noted that the TRC recommends that the cross easement be in place prior to preliminary plan approval. Town Solicitor Anthony DeSisto stated that the matter is on the agenda for the Town Council at the next meeting. If the Council approves the cross easement then this application can move forward.

John Shekarchi, attorney for the applicant, made a brief presentation to the Board. Mr. Shekarchi stated that his client would be asking for preliminary plan approval subject to the Town Council approving the cross easement. Mr. Shekarchi stated that they have read the TRC recommendations and the applicant is happy to comply with them. The applicant will move forward with Zoning as far as signs when the

package is designed.

Richard Bzdyra, engineer for the applicant, made a brief presentation to the Board. Mr. Bzdyra stated that the applicant was aware of the TRC concern about the drainage structures. There are notes on the construction plans to complete the work the TRC is requesting. The contractor will be made aware of the importance of making sure the drainage system is properly working.

Motion made by member Hunt to move this application to a Public Hearing in March was seconded by member Griffin. Motion was approved by all members present.

MAJOR SUBDIVISION REVIEW

**a. Cara Drive Extension AP 17 Lots 95 & 96 Master Plan
Verna Derderian Cara Drive Discussion/Approval**

Mr. Ranaldi stated that this application is at the master plan discussion level. The application received a certificate of completeness on December 19, 2011 and the Board has until April 18, 2012 to make a decision at master plan level. This application represents an extension of an existing roadway by 280 feet. The proposal calls for a cul-de-sac to be installed at the end of the roadway. The existing cul-de-sac would be removed. There would be three new house lots with associated drainage. The house lots will

be serviced by public sewer and water. The applicant is requesting three subdivision waivers. The first waiver request is for the street right-of-way width from 50 feet with 30 feet of pavement to 40 feet with 23 feet of pavement. This waiver request is to match the existing right-of-way that is being extended. The TRC feels that this waiver should be granted to stay consistent with the existing conditions. The second waiver request and the third waiver request are both for lot width to depth ratio. Once the subdivision is complete the two remaining lots from the original lot will have a ratio greater than 2 ½ to 1. The TRC felt that under an abundance of caution that these waivers should be approved also since the original lot did not meet this standard. The TRC wanted to bring up the five foot wide sidewalk. The applicant is not requesting a waiver for the sidewalk. However the TRC felt that since the proposed sidewalk leads to no other sidewalk it would look kind of odd and would only serve the three new lots. The TRC recommends the Board discuss this issue and consider waiving the sidewalk requirement. The applicant has the sidewalk on the plans and is willing to install it. There were some concerns about the storm water runoff but the applicant has provided additional engineering and has room for a larger detention basin if required. The TRC felt comfortable with this information. One of the items that held this application from last month was the aspect of a retaining wall at the end of the extended roadway. The TRC had many concerns regarding the retaining wall and presented them to the applicant. The applicant has since removed the retaining wall and replaced it with a 2 to 1 soil slope. The TRC feels that this is a better

design than the retaining wall but recommend that the applicant install a wooden or steel guardrail at the end of the road approximately 40 feet long. The TRC recommends that the application move to a Public Informational meeting in March. Chairman Olean inquired whether the applicant should extend the April 18, 2012 deadline for the Board to make a decision. Mr. Ranaldi felt that if the Public meeting goes well next month a vote could be taken on master plan that evening. If other issues arise then the applicant could extend the deadline at next month's meeting.

Daniel Campbell, engineer for the applicant, made a brief presentation to the Board. Mr. Campbell stated that this application looks like it creates three residential lots when in fact it takes one existing residential lot and breaks it up into a total of five residential lots. The plan shows lot 4 and lot 5 as the remainder of the original lot which happen to be on either side of the three new lots to be developed. The waiver for lot width to depth ratio is on lots 4 and 5. The plan is to remove the existing cul-de-sac and extend the road to a new cul-de-sac. The area of the old cul-de-sac to be removed will be appropriately graded and landscaped. The existing cul-de-sac has some drainage problems which the Town has attempted to repair on a temporary basis. This subdivision will pick up that drainage and carry it down the road to the new detention basin which will alleviate the existing drainage issues. The applicant believes that they have addressed all the concerns for master plan and look forward to moving this project forward. Chairman Olean clarified that this

subdivision is for one lot into four lots. The fifth lot is not part of this subdivision because it is already a separate lot. Mr. Campbell agreed.

Motion made by member Bostic to accept the TRC recommendations and move this application to the March agenda for a Public Informational meeting was seconded by member Reilly. Motion was approved by all members present.

PETITION FOR AMENDMENT TO ZONING MAP

a. Longmeadow Road AP 28 Lots 8 & 128 Recommendation to Crescent Properties, Inc. Off Longmeadow Road Town Council

Mr. Ranaldi stated that this application is for a recommendation to the Town Council. The TC received an application to amend the zoning map involving two lots. One lot, AP 28 lot 8, is completely zoned ML-0.5 and the other lot, AP 28 Lot 128, is partially zoned ML-0.5 and the balance is in RA-40. Both lots have access off Longmeadow Road which is a residential neighborhood. Lot 128 has an existing single family house on it. The request to amend the zone on the rear portion of that lot is to eliminate the dual zoning. Lot 8 is a land locked piece of property. The TRC discussed the pros and cons of changing a lot from manufacturing to residential. The TRC went to the site and discovered that this lot will be difficult to develop as either commercial or residential. The applicant is proposing to come off an existing driveway through an easement and develop this

lot as residential. There are significant slopes and wetlands on these lots. With all things considered the TRC recommends that the Board send a positive recommendation to the TC to approve this zone change from ML-0.5 to RA-40. Chairman Olean reminded the Board that this is just a recommendation to the TC and commended the TRC for their in depth analysis of this issue.

Motion made by member Griffin to make a recommendation of approval to the TC on the zone change for AP 28 lots 8 & 128 from ML-0.5 to RA-40 and direct the Administrative Officer to write the appropriate recommendation and site the section of the comprehensive plan that apply. The motion was seconded by member Hunt. Motion was approved by all members present.

SECRETARY'S REPORT

The Board was given one set of minutes to review. They are for November 21, 2011 Special Meeting. The Town Planner Al Ranaldi stated that he has reviewed these minutes.

Motion made by member Reilly to dispense with the reading of the November 21, 2011 minutes and accept as presented was seconded by member Griffin. Motion was approved by all members present.

Chairman Olean mentioned that the Comprehensive Plan is due to be updated for the ten year cycle. Chairman Olean felt that the Town has the expertise to begin that process in order to comply with State law. The Administrative Officer will look into working on an update.

Chairman Olean congratulated member Griffin for being reappointed to the Board.

Motion made by member Griffin to adjourn at 7:38 pm was seconded by member Bostic. Motion was approved by all members present.

Respectfully submitted,

Russell Hervieux

Technical Review Committee Report

On February 15, 2012 at 3:00 pm, the Technical Review Committee met to review the agenda items for the February 22, 2012 meeting of the Planning Board. In attendance were Al Ranaldi, Gerald Olean, John Faile, Russell Hervieux, Peggy Weigner, Michael Gagnon, and Laszlo Siegmund. Below are the Committee's recommendations.

Major Land Development Review

**a. Albion Commons AP 41 Lot 9 Preliminary Plan Discussion /
- Link Commercial Properties 618 George Washington HWY Approval**

This major land development project is under the 2005 Subdivision Regulations and represents the redevelopment of 2.06 acre commercial lot. Currently, the lot contains an existing 1-story commercial building and associated parking areas. The proposed redevelopment of this property is to remove the existing building and construct three separate commercial buildings with associated parking areas. One building is designated as “Proposed Retail – 6750 sqft”. Another building is designated as “Proposed Bank – 3,500 sqft”, and the other building is designated as “Proposed Restaurant – 3,100 sqft”. The project exceeds all of the commercial parking requirements. All surface water runoff is proposed to be directed into the existing on-site underground storm water mitigation systems. The project is in front of the Planning Board for a preliminary plan review.

On February 15, 2012, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the preliminary plan as

submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the preliminary plan review must be made by June 14, 2012, or within such further time as may be consented to by the applicant.

The preliminary plan submission contains a set of plans entitled, "Albion Commons, AP 41 Lot 9, George Washington Highway, Lincoln, Rhode Island", prepared for Link Commercial Properties, LLC. The submission has sixteen sheets and is dated February 3, 2012. Also in the submission is a State of Rhode Island and Providence Plantations, Inter-Office Memorandum, dated January 26, 2012, to Paul Annarummo, P.E. Division Administrator Highway and Bridge Maintenance, from Vincent J. Palumbo, P.E. Managing Engineer/Road Design, subject: Physical Alternation Permit No. 110912-A, Northeast corner of Albion Rd/Route 116 intersection, Lincoln, Rhode Island. A letter dated February 2, 2012, to Richard Bzdyra, PLS, Ocean State Planners, 1255 Oaklawn Avenue, Cranston, Rhode Island, from Byron R. Molmes, P.E. of Holmes Engineering, Inc., regarding 618 George Washington Highway, Lincoln, Rhode Island. A letter dated February 3, 2012, to Link Commercial Properties, Inc. 1150 New London Avenue, Cranston, Rhode Island 02920, from Joseph A. Bucci, P.E. Managing Engineer, Highway and Bridge Maintenance Division of the Rhode Island Department of Transportation, regarding 110912-A Rt. 116 – GW hwy. & Albion Road. A letter dated January 25, 2012, from Anthony DeSisto of Anthony DeSisto Law Associates, LLC, to Albert V. Ranaldi, Jr. AICP, Lincoln Town Planner, regarding Albion Road, Albion Commons Application

for Master Plan Approval AP 41 Lot 9 George Washington Highway. The Technical Review Committee reviewed the proposed development according to the Land Development and Subdivision Regulations preliminary plan submission requirements. Below are the TRC's recommendations.

Site Layout

The proposed site layout is similar to the existing site layout. However, three elements are proposed to change. The proposed application shows the relocation of the existing access point on George Washington Highway. The applicant proposed to move the access point approximately 50 feet northwest of the existing access point. This new entry is proposed to have egress and ingress lines. The Department of Transportation is in the process of reviewing this new entry as part of the Physical Alteration Permit (PAP) review process. According to the above noted Inter-Office Memorandum, dated January 26, 2012, to Paul Annarummo, P.E. Division Administrator Highway and Bridge Maintenance, from Vincent J. Palumbo, P.E. Managing Engineer/Road Design, subject: Physical Alternation Permit No. 110912-A, the PAP is in the final phases of review. However, the Town has not seen the official approved permit.

The Town and the TRC asks that the approved PAP be submitted as soon as possible for their review. The TRC does not anticipate the PAP identifying any significant issues relating to this proposal.

The second element is the proposed combination of two existing access points into one access point on Albion Road. This new entry

is proposed to have egress and ingress lines. Again, the Department of Transportation is in the process of reviewing this new reconfigured access point as part of the Physical Alteration Permit (PAP) review process which is in the final phases of review. The Town and the TRC will review the approved PAP when it is submitted.

The third element that will be incorporated into the proposed site layout is the addition of several landscaped islands. These islands will serve to direct and separate parking areas and patrons within the property. These landscaped islands will provide much needed vegetation to this existing large asphalted area. The TRC does not have any concerns regarding configuration of these landscape islands.

The submitted plans show two areas of conflict along the property line between Albion Road. The survey shows that some of the public highway is located on private property while some private infrastructure improvements are located on public property. However, neither the Town nor the State has officially accepted the ownership of this portion of Albion Road. The Town still contends that the roadway is a State roadway.

The applicant has proposed a resolution to this problem in which the subject land parcels are exchanged between parties according to the existing property line survey. According to the letter dated January 25, 2012, from Anthony DeSisto of Anthony DeSisto Law Associates, LLC, to Albert V. Ranaldi, Jr. AICP, Lincoln Town Planner, regarding Albion Road, Albion Commons Application for Master Plan Approval AP 41 Lot 9 George Washington Highway, Town Solicitor DeSisto

recommends that the applicant petition the Lincoln Town Council for a cross-easement to accommodate the proposed redevelopment project. The TRC feels that this resolution as presented in the site plans is reasonable and makes for a better project. The TRC would like to have this cross-easement in place before preliminary plan is granted.

Zoning Requirements

The Technical Review Committee wants to advise the applicant about the Town's sign requirements. It has been the committee's experience that most commercial businesses want more signage than what the Town permits by right. In most cases, the commercial businesses had to go before the Zoning Board for dimensional relief. The TRC recommends that the applicant starts this discussion with all proposed businesses so the necessary steps can be taken in advance.

The submitted preliminary plans show a proposed pylon sign to be located within the State's right-of-way. This sign would require a use variance from the Town's Zoning Board. According to our zoning ordinance, all signs must be located on the same parcel of land in which the commercial business is located. The TRC recommends that the applicant begins the necessary steps as soon as possible. This sign will also have to be reviewed by the Area of Planning Concern.

The proposed project exceeds the commercial parking requirements for the uses shown. The applicant has submitted a landscaping plan

as part of this submission. The TRC would also like to review a proposed lighting plan. These plans will also have to be reviewed by the Area of Planning Concern.

Storm Water Runoff

All surface water runoff is proposed to be directed into the existing on-site storm water mitigation systems. The existing systems connect to the State's storm water mitigation system within George Washington Highway. The combination of the two systems will be reviewed by the Department of Transportation as part of the Physical Alteration Permit (PAP) review process. This proposed re-use of the existing drainage system is acceptable to the Town. It is, however, strongly recommended by the TRC that all the underground components of the drainage system intended for re-use be thoroughly cleaned prior to installing any new pavement and the inlets be protected with hay bales until all construction work is completed. If the Planning Board agrees with this recommendation, the TRC would like to include this as a condition of preliminary plan approval.

According to the above noted Inter-Office Memorandum, dated January 26, 2012, to Paul Annarummo, P.E. Division Administrator Highway and Bridge Maintenance, from Vincent J. Palumbo, P.E. Managing Engineer/Road Design, subject: Physical Alternation Permit No. 110912-A, the PAP is in the final phases of review. However, the Town has not seen the official approved permit. The Town and the TRC asks that the approved PAP be submitted as soon as possible for their review. The TRC does not anticipate the PAP identifying any

significant issues relating to this proposal.

Traffic Impact Study

A traffic impact study of the proposed project was conducted. The study concluded that the proposed redevelopment has successfully been designed to maintain a desirable level of traffic safety and efficiency on the surrounding roadway system. The study also noted that the estimated increase in traffic will have little effect of the overall operations on George Washington Highway and the existing level of service will remain at its existing level.

Many of the above noted concerns are minor in nature and can be addressed as this project proceeds forward. Therefore, the TRC recommends that the project proceeds to a public hearing at the March Planning Board meeting.

Major Subdivision Review

**a. Cara Drive Extension AP 17 Lots 95 Master Plan Discussion /
- Verna Derderian Cara Drive Approval**

This major subdivision project is under the 2005 Subdivision Regulations and represents the subdivision of one large lot into four single-family residential lots. The three house lots are proposed to be developed off of an extension of Cara Drive. This subdivision is classified as a major subdivision due to the proposed street extension. On December 19, 2011, the master plan submission

received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the master plan review must be made by April 18, 2012, or within such further time as may be consented to by the applicant.

The Technical Review Committee reviewed the proposed development according to the Land Development and Subdivision Regulations master plan submission requirements. The submission includes a set of plans entitled “Cara Drive – Extension, Major Subdivision Master Plan Cara Drive, Lincoln, Rhode Island” and dated January 2011. Three revisions are noted on July 12, 2011, November 30, 2011, and December 07, 2011. The plans were prepared by Level Design Group of Plainville, Mass. for Verna Derderian, 101 Cobble Hill Road, Lincoln, Rhode Island. The plan set contains 5 pages (Cover page, MP-1.0, MP-1.1, MP 2.0, and MP 2.1). The submission also contains: a letter dated December 7, 2011 from Daniel Campbell, P.E. of Level Design Group, and a report entitled “Land Development and Subdivision Application for AP 17 Lots 95 and 96, Cara Drive Extension, Lincoln, Rhode Island” and dated January 10, 2011. The report was prepared by Level Design Group. Sheet MP-2.1 was revised and resubmitted to the Town on February 3, 2012.

Below are the Technical Review Committee comments.

Site Layout

Cara Drive is a cul-de-sac roadway off of Olney Avenue. Cara Drive is approximately 280 feet long and offers public sewer and water. The property is situated in a RS-12 Residential zone. Currently, five houses front off of the roadway. The proposed subdivision is to extend the existing roadway, public sewer, and public water by approximately 240 feet. The existing cul-de-sac will be eliminated. The roadway would end in a new cul-de-sac and would allow for the creation of three residential house lots.

The structural aspects of the new cul-de-sac will be established by the creation of a 2:1 sloped area that would extend approximately 25 feet further then the pavement. This slope is the normal slope for highway embankments. Generally, these slopes are seeded and mowed and not rip-rapped. The TRC recommends that the applicant revised the plans to reflect this practice. Each house lot exceeds the required buildable lot area. Proposed Lot #3 would contain a drainage structure on it.

The TRC reviewed the site layout and expressed one concern at this review stage. The TRC recommends that a guard rail be installed at the end of the cul-de-sac. The guard rail should be placed in the line of the incoming traffic and be approximately 450 feet in length. A steel reinforced timber guard rail is acceptable to the Town. This guard rail will offer traffic protection without interfering with snow removal.

Subdivision Waivers

The applicant is requesting four subdivision regulation waivers. They are:

- 1. Section 23, Article C (5) – “Street right-of-way shall not be less than fifty (50) feet, and street pavements measured between faces of curbing centered within the property lines shall not be less than thirty (30) feet in width”. The applicant is requesting to reduce the width of the street right-of-way to match the existing right-of-way of Cara Drive. Their request is to reduce the right-of-way to forty (40) feet, and a pavement width of approximately twenty-three (23) feet.**
- 2. Section 23, Article E (4) – “The proportion of average lot depth to average lot width shall not exceed the ratio of 2.5:1. Proposed Lot #4 does not meet this requirement.**
- 3. Section 23, Article E (4) – “The proportion of average lot depth to average lot width shall not exceed the ratio of 2.5:1. Proposed Lot #5 does not meet this requirement.**

The TRC discussed the above subdivision waivers and feels that each waiver is reasonable. Waiver #1 is required so that the new roadway will match the existing width of Cara Drive. Presently, the Cara Drive public right-of-way measures forty (40) feet wide and has a twenty-three foot wide paved surface. The need for waiver #2 and #3 is due to the existing configuration of the two original lots. There is no reasonable way to eliminate these configurations.

The TRC discussed the applicant’s proposal of a five (5) foot wide sidewalk in the subdivision. This sidewalk runs along the northern side of the street from existing lot 109 and ends at proposed lot #3. No other sidewalks exist along Cara Drive or the main roadway Olney

Avenue. The TRC feels that there is really no purpose for this proposed sidewalk. It does not connect to an existing sidewalk system nor independently provides a lengthy walking area. The TRC highly recommends to the applicant and the Planning Board to discuss this subdivision requirement and consider a waiver of this requirement.

Storm Water Runoff

The storm runoff from the road extension is shown to be conveyed into a detention basin located on proposed lot #3. There is no documentation that this proposed facility will be able to infiltrate the collected runoff. There is reference to soils information but nothing was attached in the submission. No test pits information was provide. No depth to bedrock information was made available. While this technical information is not necessary required at the Master Plan review stage, the TRC likes to have a reasonable level of comfit that the system will work. This concern was discussed with the applicant. The TRC determined that the there are opinions available to the applicant if the proposed design is not feasible. The TRC will review the proposed detention facility with greater detail at preliminary plan review stage.

Based on the submitted information and discussions with the applicant's engineer, the TRC recommends that the applicant incorporate the comments presented by the TRC and return in March for a public informational meeting.

Petition for Amendment to Zoning Map

a. Longmeadow Road AP 28 Lot 8 and portion of 128 Recommendation to Town

- Crescent Properties, Inc. Off Longmeadow Road Council

The applicant seeks a zone change of the above referenced properties (AP 28 Lot 8 and portion of 128) from ML-0.5 to RA-40. Currently, Lot 128 is divided by zoning district ML-0.5 and RA-40. The use of the property is residential and complies with our zoning regulations. Access to this property is from Longmeadow Road. Lot 8 is completely zones as ML-0.5. This parcel of land is vacant and land-locked. Due to the existing topography, access to this parcel is from the existing driveway of Lot 128. This application will clear up the existing mixed zoning on Lot 128 and completely change the zone on Lot 8 from ML-0.5 to RA-40.

The Technical Review Committee reviewed the submitted application according to Section 20-343 of the Code of Ordinances and visited the site. The TRC recommends that a positive recommendation be offered to the Town Council. In general, the TRC feels that this zone change requested for Lot 128 is minor in nature and will clear up the mixed zoning on this parcel of land. However, the TRC had a great amount of discussion on the proposed zone change for Lot 8. An argument was made that if this parcel is changed to residential zoning, the future homeowner may have problems with noise and/or parking lot lighting from the existing abutting manufacturing uses.

Ultimately, the TRC felt that the possibilities of this parcel of land being developed as a manufacturing use are very slim due to its challenging topography and the fact that it is land-locked. An argument was made that if the parcel of land remains manufacturing and is developed by having access from Longmeadow Road, commercial traffic will be forced to access the parcel from residential roadway. The parcel of land already has existing access from Longmeadow Road which is a residential neighborhood. Therefore, based on the existing topography of the parcel and established access point, the TRC recommends that this zoning map amendment be approved. A detailed analysis of this proposed zone change is included in your packets.

Zoning Applications (*) - March's Zoning Applications

Continued from December

Peter J. DiPaola, 32 South Eagle Nest Drive, Lincoln, RI – Application for Dimensional Variance seeking rear setback relief for an existing accessory structure.

AP 40, Lot 95 Zoned: RA 40

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Denial of the application for a dimensional variance seeking rear yard setback relief for the construction of an existing accessory structure. The existing accessory structure was

constructed without a building permit. The submitted plans also show four other accessory structures on the property. An additional structure is in the middle of construction and not shown on the plans.

A review of the applicant's building file determined that only one accessory structure was constructed with a building permit.

The Technical Review Committee feels that the application does not meet any of the standards for relief of a dimensional variance as presented in the Zoning Ordinance. The applicant did not offer any compelling reasoning for their request within their application. The submitted site plan clearly shows that the applicant has sufficient room within the property setbacks to locate accessory structures. The Technical Review Committee feels that the current site plan and application does not represent the least relief necessary and is not due to the unique characteristics of the subject land.

Gregory A. Sansiveri, 3 Ledgemont Drive, Lincoln, RI – Application for Dimensional Variance seeking front and side yard relief for the construction of an addition.

AP 29, Lot 121 Zoned: RS-20

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of this application according to the submitted plans for a dimensional variance from the front and side yard setbacks for the construction of an addition. The TRC feels that the proposed location of the new addition will not change the existing

footprint of the house. The applicant proposes to build a second story over the existing garage. The Committee finds that the applicant presents a realistic site layout that meets the intent of the zoning and is the least relief needed. The TRC feels that granting these dimensional variances will not impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.

**Richard D. Ptaszek, 408 Old River Road, Manville, RI – Application for Use Variance to legalize and existing three (3) family housing unit.
AP 39, Lot 109 Zoned: RL-9**

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval with Conditions of this application for a use variance to legalize and existing three (3) family housing unit. The TRC feels that the surrounding neighborhood is made up of a variety of housing units ranging from single family homes to three family homes. The use variance will not change the appearance of the house. The Committee finds that the application will legalize an existing use. As a condition of approval, the TRC recommends that the property owner brings the existing housing unit up to current three family building codes. The TRC feels that granting the use variances will not impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.

Martbro Properties, LLC, 960 Smithfield Avenue, Lincoln, RI –

Application for a Special Use Permit to convert a two family and office building to a three (3) family housing unit.

AP 06, Lot 181 Zoned: RG-7

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of this application. The proposed application is to convert an existing office space into a residential apartment. Two residential apartments currently exist as part of the building. Three family housing is allowed in this zoning district by special use. The original footprint of the building will not change. The TRC finds that the relief requested will not alter the general character of the surrounding area or impair the intent or purpose of the Lincoln Zoning Ordinance or the Lincoln Comprehensive Plan.

Martbro Properties, LLC, 960 Smithfield Avenue, Lincoln, RI – Application for a Dimensional Variance seeking lot area and side yard relief to convert a two family and office building to a three (3) family housing unit.

AP 06, Lot 181 Zoned: RG-7

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of this application. The proposed dimensional variances are to clear up pre-existing nonconformities of this parcel of land. The conversion of this property to a three (3)

family housing unit will not change the existing footprint of the building. The TRC finds that the relief requested will not alter the general character of the surrounding area or impair the intent or purpose of the Lincoln Zoning Ordinance or the Lincoln Comprehensive Plan.

Continued from December

YMCA of Pawtucket, Inc., 660 Roosevelt Avenue, Pawtucket, RI/MacColl YMCA, 26 Breakneck Hill Road, Lincoln, RI – Application for Special Use Permit for additional signage at property located at 26 Breakneck Hill Road, Lincoln, RI.

AP 25, Lots 58, 68, 69 and 71 Zoned: RA 40

Members of the Technical Review Committee visited the site and reviewed the plans and the application for a special use permit for additional signage at property located at 26 Breakneck Hill Road. The submitted application is for a total of sixteen signs of various sizes and located throughout the property. The Technical Review Committee recommends Approval with Conditions. The condition of approval is that no sign shall have LED lighting or any lighting similar to LED, will not scroll messages, and will not flash.

The TRC feels that due to the historic nature of this roadway and due to the fact that Breakneck Hill Road is designated as a “Scenic Highway” by the State of Rhode Island, that any sign that will be seen from travelers along this road should be discrete in nature. The TRC paid special attention to sign #1 and sign #16. Sign #1 is proposed to

be “internally lighted”, while sign #16 is proposed to be “internally lighted” and their program announcements to be “lighted lettering”. A full explanation of what “lighted lettering” means was not provided in the application. Therefore, the TRC made the above condition of approval. The TRC would like to bring to the Zoning Board’s attention that the application does not contain any measurements of the proposed signage. Enforcement of this application, if approved, will not be possible without these measurements. The TRC recommends that this information be provided to the Zoning Board and made part of the official record of approval.

Correspondence/Miscellaneous (*)

a. Staff Reports

b. Corredora and Twitchell AP 23 Lots 4 and 285 Administrative Subdivision Recorded

c. Carriage Drive AP 20 Lot 52 Final Plan Recorded

d. Handout – New Sessions, Conducting Effective Land Use Reviews 2012

Respectfully submitted,

Albert V. Ranaldi, Jr. AICP

Albert V. Ranaldi, Jr. AICP

Administrative Officer to the Planning Board